

February 27, 2003

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

Lawrence E. Starfield, Administrator
Environmental Protection Agency, Region VI
1445 Ross Avenue, Suite 1200
Dallas, TX 75202

By Fax: (214) 665-6648

Re: Citizen's Petition for Preliminary Site Assessment under Section 9605(d)
of the Comprehensive Environmental, Response, Compensation, and
Liability Act (CERCLA), 42 U.S.C. §9601 et seq.

Dear Mr. Starfield:

In response to the attached letter from Myron Knudson, Director of the Superfund Division of EPA Region 6, I am resubmitting my petition, which I have signed. This letter also confirms that I am requesting exhibits A-D to be included with this petition. These exhibits were sent with the previous petition dated January 6, 2003 signed by Jay Tutchton of Earthjustice.

Sincerely,

(b) (6)

January 6, 2003

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Lawrence E. Starfield, Administrator
Environmental Protection Agency, Region VI
1445 Ross Avenue, Suite 1200
Dallas, TX 75202

By Fax: (214) 665-6648

Re: Citizen's Petition for Preliminary Site Assessment under Section 9605(d) of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. §9601 et seq.

Dear Mr. Starfield:

On behalf of (b) (6), pursuant to 42 U.S.C. §9605(d) and 40 C.F.R. §300.420(b)(5) we hereby request that the Environmental Protection Agency (EPA) conduct preliminary assessments of four (4) locations in northern New Mexico to determine the hazards to public health and the environment associated with a threatened release of hazardous substances, pollutants, and contaminants.

(b) (6) ranch is located near Aztec, New Mexico, and her family has lived in northern New Mexico for five generations. Recently, (b) (6) was presented with information about various locations in the area where hazardous substances and other contaminants were buried by former owners and operators of oil and gas production and refining facilities. Each of these locations is in the direct path of surface or groundwater drainage into the San Juan River basin. The threatened release of hazardous substances and other contaminants poses an imminent and substantial danger to human health and the environment. Because (b) (6) and her family are part of this community, their health and well being is also at risk.

The specific locations, the nature of activities which reportedly occurred at the sites, and the probable effects of a release are described below.

I. Sunland Yard, Hampton Arroyo, Aztec, New Mexico

Contact information:

Sean Renfro
Rocky Mountain Division Manager
Sunland Construction, Inc.
816 NE Aztec Boulevard
Aztec, NM 87410
(505) 334 4350

-Photograph attached as Exhibit A-

This site is located next to the Hampton Arroyo, which drains into the Animas River. It is near the McCoy Elementary School. The site was formerly owned by El Paso Natural Gas and was recently sold to Sunland Construction.

When El Paso was the owner and operator of the site, it was used as a shop for oil field service trucks. At that time, mercury was used in well meters. Field workers periodically recalibrated these meters by adding new mercury. Any mercury that was spilled in the field trucks during the recalibration process was rinsed out at the shop into a sump pit that drained directly into the Hampton Arroyo. This was done for many years. The sump pit was later cemented over without any reclamation.

The Hampton Arroyo flows year round and because this specific stretch of the Arroyo is close to the McCoy Elementary School, it is a favorite place for children to play in the water. Because mercury was routinely washed into the Arroyo here where children play, and because there is an old mercury-containing pit in the direct path of drainage into the Arroyo, this site clearly poses a potential health hazard to the local population.

II. Farmington Yard, Farmington, New Mexico

Contact information:

Richard Farley
Burlington Resources, Inc.
3401 E 30th Street
Farmington, NM 87402
(505) 326-9700

-Photograph attached as Exhibit B-

This is another yard which was formerly owned by El Paso Natural Gas. The site has since been sold to Burlington Resources. It is located on the Animas River which contributes to Farmington's water supply.

When El Paso owned the yard, oil distillants, lead paint, mercury, and asbestos were dumped there and remain to this day. The potential migration of these hazardous substances and other pollutants threatens to contaminate the water supply of Farmington, thus posing an imminent danger to its citizens.

**III. Old Blanco Refinery, Bloomfield, New Mexico
East US 64, 1 mile from US 64 and NM 44**

-Photograph attached as Exhibit C-

The Blanco Refinery was formerly owned by El Paso Natural Gas. It is very close to the Bloomfield Irrigation Ditch – Bloomfield's water source. The Blanco Refinery was torn down by El Paso and the land was sold to Burlington Resources and was recently resold to Duke Energy.

While El Paso was operating the refinery, they took contaminants from the plant, put them in 55 gallon drums, dug a trench, put the barrels in the trench, poked holes in the barrels, and covered up the mess with soil.

The punctured barrels, located so near the irrigation ditch, pose an obvious threat to Bloomfield's water supply.

This site was added to the CERCLIS database on October 1, 1986, and was archived on December 1, 1988, with a status of no further remedial action planned (NFRAP). However, (b) (6) believes that the dumping occurred after the EPA's 1988 site inspection and the site should be reinvestigated.

IV. Ballard Plant, Kutz Wash, just off the San Juan River, on Highway 550 45 miles South of Bloomfield, NM

-Photograph attached as Exhibit D-

This plant was owned and operated by El Paso Natural Gas. While it is no longer operating, during its operating years, El Paso buried mercury-filled meters and barrels of oil field waste near the Kutz Wash which is part of the San Juan River watershed.

The existence of this buried waste threatens the water supply of the surrounding area.

Notification of State and local authorities

(b) (6) has discussed the existence of these sites with a number of elected representatives and government personnel in the State of New Mexico. She has also discussed the sites with Joel Dougherty an enforcement officer in the Hazardous Waste Division at the EPA, Region VI. A copy of this letter is being sent to Mr. Dougherty. This letter is also being copied to the appropriate individuals at the New Mexico

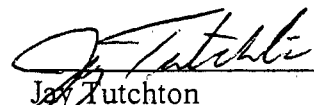
Environment Department as well as to the potentially responsible parties to the disposal. The company representatives were previously notified by (b) (6) but she received no reply from them.

Because (b) (6) family has been a part of the northern New Mexico community for many generations, she is deeply concerned about the environment and the health and safety of the people there.

Please do not hesitate to request any necessary follow-up information and please provide a written response to this Petition. In the event that a preliminary assessment is deemed inappropriate, under 42 U.S.C. §9605(d), 40 C.F.R. 300.420(b)(5)(iii), and the Administrative Procedures Act (APA) 5 U.S.C. §555(e), please notify me and provide the reason for such determination. Thank you for your time and attention to this matter.

(b) (6)

Petitioner


Jay Tutchton
Earthjustice

Attachments: Exhibits A - D

cc: Myron O. Knudson, P.E.
Division Director, Superfund Division
EPA, Region VI

Joel Dougherty
Compliance Assurance and Enforcement
Hazardous Waste Division
EPA, Region VI

Marcy Leavitt, Bureau Chief
Ground Water Quality Bureau
New Mexico Environment Department
Harold Runnels Building, Room N2250
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, NM 87502

James P. Bearzi, General Manager
Hazardous Waste Bureau
New Mexico Environment Department
Harold Runnels Building
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, NM 87502

James H. Davis, Ph.D., Bureau Chief
Surface Water Quality Bureau
New Mexico Environment Department
Harold Runnels Building, Room N2050
1190 St. Francis Drive, P.O. Box 26110
Santa Fe, NM 87502

Sean Renfro
Rocky Mountain Division Manager
Sunland Construction, Inc.
816 NE Aztec Boulevard
Aztec, NM 87410

Richard Farley
Burlington Resources
Box 4289
3401 E. 30th Street
Farmington, NM 87402

Bruce Myerson
El Paso Natural Gas Co.
614 Reilly
Farmington, NM 87410

(b) (6)
103 West Aztec Boulevard
Aztec, NM 87410